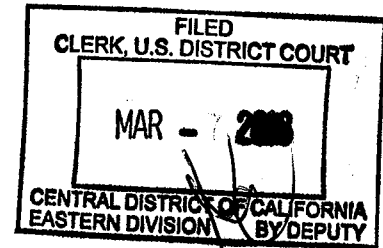


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UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	EDCR-16-0017-JGB
Plaintiff,)	
)	NOTICE OF REQUEST
)	FOR DETENTION
JOSE LUIS LOPEZ,)	
aka "Caparates,")	
)	
Defendant.)	

Plaintiff, United States of America, by and through its
counsel of record, hereby requests detention of defendant and
gives notice of the following material factors:

1. Temporary 10-day Detention Requested (§ 3142(d))
on the following grounds:

a. offense committed while defendant was on
release pending (felony trial), (sentencing)
(appeal) or on (probation) (parole);

- 1 ___ b. alien not lawfully admitted for permanent
2 residence;
3 ___ c. flight risk;
4 ___ d. danger to community.

5 ___ 2. Pretrial Detention Requested (§ 3142(e)) because
6 no condition or combination of conditions will
7 reasonably assure against:

- 8 ___ a. danger to any other person or the community;
9 ___ b. flight.

10 K 3. Detention Requested Pending Supervised
11 Release/Probation Revocation Hearing (Rules
12 32.1(a)(6), 46(d), and 18 U.S.C. § 3143(a)):

13 K a. Defendant cannot establish by clear and
14 convincing evidence that he/she will not pose
15 a danger to any other person or to the
16 community;

17 X b. Defendant cannot establish by clear and
18 convincing evidence that he/she will not
19 flee.

20 ___ 4. Presumptions Applicable to Pretrial Detention
21 (18 U.S.C. § 3142(e)):

22 ___ a. Title 21 or Maritime Drug Law Enforcement Act
23 ("MDLEA") (46 U.S.C. App. 1901 et seq.)
24 offense with 10-year or greater maximum
25 penalty (presumption of danger to community
26 and flight risk);

1 _____ b. offense under 18 U.S.C. § 924(c) (firearm
2 used/carried/possessed during/in relation
3 to/in furtherance of crime), § 956(a), or §
4 2332b (presumption of danger to community and
5 flight risk);

6 _____ c. offense involving a minor victim under 18
7 U.S.C. §§ 1201, 1591, 2241, 2242, 2244(a)(1),
8 2245, 2251, 2251A, 2252(a)(1)-(a)(3),
9 2252A(a)(1)-2252A(a)(4), 2260, 2421, 2422,
10 2423 or 2425 (presumption of danger to
11 community and flight risk);

12 _____ d. defendant currently charged with (I) crime of
13 violence, (II) offense with maximum sentence
14 of life imprisonment or death, (III) Title 21
15 or MDLEA offense with 10-year or greater
16 maximum sentence, or (IV) any felony if
17 defendant previously convicted of two or more
18 offenses described in I, II, or III, or two
19 or more state or local offenses that would
20 qualify under I, II, or III if federal
21 jurisdiction were present, or a combination
22 of such offenses, AND defendant was
23 previously convicted of a crime listed in I,
24 II, or III committed while on release pending
25 trial, AND the current offense was committed
26 within five years of conviction or release
27 from prison on the above-described previous
28

conviction (presumption of danger to
community).

5. Government Is Entitled to Detention Hearing
Under § 3142(f) If the Case Involves:

- a. a crime of violence (as defined in 18 U.S.C.
§ 3156(a)(4)) or Federal crime of terrorism
(as defined in 18 U.S.C. § 2332b(g)(5)(B))
for which maximum sentence is 10 years'
imprisonment or more;
- b. an offense for which maximum sentence is life
imprisonment or death;
- c. Title 21 or MDLEA offense for which maximum
sentence is 10 years' imprisonment or more;
- d. instant offense is a felony and defendant has
two or more convictions for a crime set forth
in a-c above or for an offense under state or
local law that would qualify under a, b, or c
if federal jurisdiction were present, or a
combination or such offenses;
- e. any felony not otherwise a crime of violence
that involves a minor victim or the
possession or use of a firearm or destructive
device (as defined in 18 U.S.C. § 921), or
any other dangerous weapon, or involves a
failure to register under 18 U.S.C. § 2250;
- f. serious risk defendant will flee;

1 ___ g. serious risk defendant will (obstruct or
2 attempt to obstruct justice) or (threaten,
3 injure, or intimidate prospective witness or
4 juror, or attempt to do so).

5 ___ 6. Government requests continuance of ___ days
6 for detention hearing under § 3142(f) and based
7 upon the following reason(s):

8 _____
9 _____
10 _____

11 ___ 7. Good cause for continuance in excess of three
12 days exists in that:

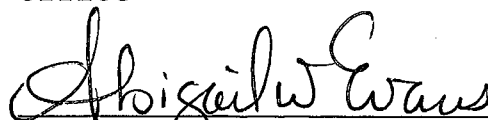
13 _____
14 _____
15 _____

16
17 DATED: March 7, 2016

Respectfully submitted,

18 EILEEN M. DECKER
19 United States Attorney

20 JOSEPH B. WIDMAN
21 Assistant United States Attorney
22 Chief, Riverside Branch
23 Office

24 

25 ABIGAIL W. EVANS
26 Assistant United States Attorney
27 Attorneys for Plaintiff
28 UNITED STATES OF AMERICA